

### **REMARKS**

This Response is in reply to the Office Action mailed on January 10, 2005. The Applicants appreciate the Examiner's indication that claims 13 and 14 recite allowable subject matter. Claims 1, 6-8, 10-14 have been amended. Claim 2 has been canceled. Claims 15-17 have been withdrawn from consideration. Claims 1, 3-14 and 18 are pending herein. No new matter has been added. Entry and consideration of the amendments and following remarks is respectfully requested.

#### **Claim Rejections - 35 USC §112**

Claims 1-14 and 18 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite to for failing to point out the subject matter. Specifically, the Examiner stated that words/phrases in the claims lacked sufficient antecedent basis. Claims 1, 6-8 and 10-14 have been amended to recite the correct antecedent basis. Support for the amendments to claims is present on pages 9-25 of the specification. The Applicants therefore respectfully request that the rejections be withdrawn.

#### **Claim Rejections - 35 USC §103(a)**

Claims 1-4, 6, 8-9 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mori (US 2003/0085600) in view of Mitchell (5,697,672). This rejection is respectfully traversed.

Applicants have amended independent claim 1 to include the limitations of dependent claim 2. Amended claim 1 recites a seat structure having a tension adjusting mechanism which includes the feature of a torsion bar. The vibration inputted from the seat back side can be absorbed by an elastic force of the torsion bar.

In contrast, Mori does not teach or suggest a torsion bar. Mori teaches a crankshaft (16) which can move forward and backward by a rotation of a sector gear (14) driven by a drive

device (41). The crankshaft does not absorb the vibration inputted from the seat back, the crankshaft only exhibits the function to push the passenger's lumbar.

None of the references teach or suggest the feature of the torsion bar as recited in claim 1. Accordingly, Applicants assert that amended claim 1 is patentable over the cited references. Furthermore, since claims 1-4, 6, 8-9 and 18 depend from independent claim 1, and for the reasons stated above, these claims are allowable as well. It is therefore respectfully requested that the rejection of the claims under 35 U.S.C. §103(a) be withdrawn.

Claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Mori (US 2003/0085600) in view of Mitchell (5,697,672) as applied to claim 1 above, and further in view of Yokota (5,044,693). This rejection is respectfully traversed.

As stated above, Mori does not teach or suggest a torsion bar. Therefore, by reason of its dependency on claim 1, the Applicants assert that claim 5 is patentable over the cited references for the same reasons stated above. It is therefore respectfully requested that the rejection of the claims under 35 U.S.C. §103(a) be withdrawn.

Claim 7 is rejected under 35 U.S.C. §103(a) as being unpatentable over Mori (US 2003/0085600) in view of Mitchell (5,697,672) as applied to claim 1 above, and further in view of Kawasaki (US 2004/0130202). This rejection is respectfully traversed.

As stated above, Mori does not teach or suggest a torsion bar. Therefore, by reason of its dependency on claim 1, the Applicants assert that claim 7 is patentable over the cited references for the same reasons stated above. It is therefore respectfully requested that the rejection of the claims under 35 U.S.C. §103(a) be withdrawn.

Claims 10-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mori (US 2003/0085600) in view of Mitchell (5,697,672) as applied to claim 8 above, and further in view of Panicci (2,964,099). This rejection is respectfully traversed.

As stated above, Mori does not teach or suggest a torsion bar. Therefore, by reason of claim 8 dependency on claim 1, the Applicants assert that claims 10-14 are patentable over the cited references for the same reasons stated above. It is therefore respectfully requested that the rejection of the claims under 35 U.S.C. §103(a) be withdrawn.

**Conclusion**

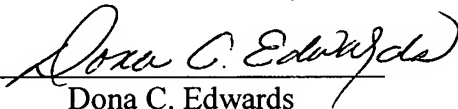
In view of the amendments to claims made herein and the arguments presented above, it is submitted that the Examiner's rejections have been overcome and should be withdrawn. The application should now be in condition for allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

A petition for a one-month extension of time with the requisite fee is attached herewith. In the event that any other fees are required for the entry of this Response, the Patent and Trademark Office is specifically authorized to charge such fee to Deposit Account No. 50-0518 in the name of Steinberg & Raskin, P.C.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,  
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